



**KILPATRICK  
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Attorneys at Law

*Application granted.*

SO ORDERED.

*[Signature]*  
WILLIAM H. PAULEY III U.S.D.J.

July 18, 2008

*7/21/2008*

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**By Facsimile (with permission)**

Hon. William H. Pauley III  
United States District Judge  
United States Courthouse  
500 Pearl St., Room 2210  
New York, NY 10007

Re: Croomstacular Music Publishing, Inc. v. Element 9 Recordings, LLC, *et al.*,  
No. 2008 Civ. 04576

Your Honor:

We are attorneys for plaintiff Croomstacular Music Publishing, Inc. ("Plaintiff") in connection with the above-referenced action. On July 14, 2008, Partha Chatteraj, Esq., counsel for defendants Element 9 Recordings, LLC, Minder Music, Inc. and Stuart Pflaum, wrote to Your Honor requesting a pre-motion conference. Mr. Chatteraj's letter states that defendants intend to file a motion to dismiss the Complaint in its entirety and summarizes the bases for defendants' anticipated motion. We write to request an extension of time for the submission of our letter in opposition to Mr. Chatteraj's letter.

Under Your Honor's Individual Practices, our opposition letter is due no later than this coming Monday, July 21, 2008. We respectfully request that the Court extend Plaintiff's deadline for submitting its opposition letter until and including August 1, 2008. The request is necessitated by the fact that Plaintiff's lead counsel is presently out of the country. Mr. Chatteraj has consented to the requested extension on behalf of the defendants. This extension, if granted, would be the first extension of Plaintiff's time in which to submit its opposition letter.

<sup>1</sup> After receiving Mr. Chatteraj's July 14, 2008 letter, we received an Initial Scheduling Conference and Notice in this matter issued by Judge Holwell. Based upon Judge Holwell's Order, the parties assumed that this action had been reassigned to Judge Holwell and contacted Judge Holwell's chambers to obtain direction as to how Judge Holwell wanted to proceed in view of Mr. Chatteraj's request for a pre-motion conference. We were advised yesterday by Judge Holwell's chambers that Judge Holwell's Initial Scheduling Conference and Notice was issued in error and that this action has not been reassigned from Your Honor. The parties were advised by Judge Holwell's chambers that the Court's Initial Scheduling Conference and Notice has been withdrawn and is inoperative.

Hon. William H. Pauley III  
July 18, 2008  
Page 2

We thank the Court for its consideration.

Respectfully,

A handwritten signature in black ink, appearing to be "Joseph Petersen", written over a horizontal line.

cc: James Trigg, Esq. (by e-mail)  
Andrew Pequignot, Esq. (by e-mail)  
Partha Chattoraj Esq. (by e-mail)